

ENTERED

February 18, 2020

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONNANBAM BLESSING DANIEL,
Plaintiff,

V.

EZE MADUMERE and MARSHALL
MADUMERE,
Defendants.§
§
§
§
§
§
§

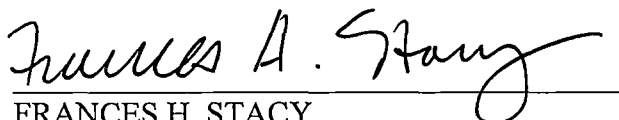
CIVIL ACTION NO. H-19-1945

ORDER

Pending is Plaintiff's Motion to Dismiss Defendants' Amended Counterclaim (Document No. 19), in which Plaintiff seeks an Order dismissing Defendants' defamation counterclaim, which Defendants were allowed to amend by Order dated October 24, 2019. According to Plaintiff, the deficiencies identified in the previous Motion to Dismiss, and acknowledged in the Order entered on October 24, 2019, have not been cured insofar as there are still no particulars about the alleged defamation made the basis of Defendants' defamation counterclaim.

Having considered the motion, the response in opposition, and the allegations in Defendants' amended counterclaim, which are no more specific in terms of time, place, and to whom the allegedly defamatory statements were made, than they were in the original counterclaim, and the applicable law, the Court ORDERS that Plaintiff's Motion to Dismiss Defendants' Amended Counterclaim (Document No. 19) is GRANTED, and Defendants' amended counterclaim for defamation is DISMISSED pursuant FED. R. CIV. P. 12(b)(6) for failure to state a claim.

Signed at Houston, Texas, this 16th day of February, 2020.


FRANCES H. STACY
UNITED STATES MAGISTRATE JUDGE